

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION**

IN RE:)	
)	
)	
WMH PHYSICIANS HOSPITAL, L.L.C.)	CASE NO. 04-15264-JKC-7
a/k/a WINONA MEMORIAL HOSPITAL)	
)	
Debtor,)	
)	
)	
)	
)	
)	
PAUL D. GRESK, as Chapter 7 Trustee)	
)	
Plaintiff,)	
)	
v.)	ADVERSARY NO. 05-00132
)	
STATE OF INDIANA, et al.,)	
)	
Defendants.)	

**REVISED PUBLIC NOTICE
RE: DISPOSAL OF WINONA HOSPITAL MEDICAL RECORDS**

In a revised proposed settlement of the above-captioned adversary proceeding now pending in the United States Bankruptcy Court for the Southern District of Indiana, Indianapolis Division, Paul D. Gresk, in his capacity as the Chapter 7 Trustee of the Debtor, WMH Physicians Hospital, LLC a/k/a Winona Memorial Hospital, 3232 North Meridian Street, Indianapolis, Indiana 46208-4693 has sought authority from the Bankruptcy Court to dispose of the Debtor's patient records after complying with the following preliminary steps:

(1.) Publication of a notice in the Indianapolis Star newspaper advising that the patient records presently located at the former premises of Winona Memorial Hospital are to be destroyed after one (1) year of the date of publication of the notice if such records are not claimed by the patient or an insurance provider (in the event applicable law permits an insurance provider to make such claim) and setting forth a procedure by which patients and/or insurance providers, upon submission of a request for records and tendering payment of a designated retrieval/processing fee varying in amount from \$25.00 to \$50.00 depending on the date and nature of the record, may acquire the medical records in advance of their being destroyed;

(2.) One (1) year (i.e., 365 days) after the above newspaper publication, the Chapter 7 trustee shall send by certified mail a request to each appropriate Federal agency requesting permission from that agency to deposit the patient records with that agency. The notice supplied shall be in conformity with a list provided to the Chapter 7 Trustee

by the State of Indiana, State Department of Health, which certifies the names and mailing addresses of each appropriate Federal agency.

(3.) Should any medical records remain unclaimed thirty (30) days after compliance with the procedures set forth in the above numbered paragraphs, the Chapter 7 trustee may proceed to have all such remaining patient records destroyed by:

(a) if the records are written, shredding or burning the records; or

(b) if the records are magnetic, optical, or other electronic records, by otherwise destroying those records so that they cannot be retrieved.

It is anticipated that the cost to the bankruptcy estate in implementing the above procedure may approximate \$92,000.00.

IF YOU ARE INTERESTED IN OBJECTING TO OR COMMENTING UPON THE TRUSTEE'S PROPOSED SETTLEMENT AS OUTLINED ABOVE YOUR COMMENTS AND/OR OBJECTIONS SHOULD BE SENT TO THE FOLLOWING ADDRESS:

**Clerk, U.S. Bankruptcy Court
46 East Ohio Street
Indianapolis, Indiana 46204.**

Please reference bankruptcy case WMH Physicians Hospital, LLC, Case No. 04-15264-JKC-7, Adversary No. 05-00132 on any objection or comment submitted. All written comment or objections must be filed with the Clerk on or before 5:00 PM Indianapolis time on November 23, 2005. In the event a timely objection is not with filed the Court prior to such date and time the Court may proceed to approve the Trustee's proposal without further notice to you.

YOU ARE FURTHER ADVISED THAT a hearing on the Chapter 7 trustee's proposal and any timely objections filed in response thereto has been scheduled for the 28th day of November, 2005 at 1:30 P.M. in the U.S. Court House, 46 East Ohio Street, Indianapolis, Indiana, Room 325. Your attendance and participation at the hearing is welcomed.

/S/ John A. O'Neal

John A. O'Neal, Clerk U.S. Bankruptcy Court